

RECEIVED
CENTRAL FAX CENTER

NOV 8 - 2006

STEVENS & SHOWALTER, L.L.P.

*Attorneys at Law*7019 CORPORATE WAY
DAYTON, OHIO 45459-4238RICHARD C. STEVENS
ROBERT L. SHOWALTER*

OF COUNSEL

MICHAEL D. FOLKERTS
TODD E. STOCKWELL **
CHARLENE L.H. STUKENBORG* ALSO ADMITTED IN KENTUCKY
** ADMITTED IN KENTUCKY ONLYPATENTS, TRADEMARKS,
COPYRIGHTS & RELATED MATTERSTELEPHONE (937) 438-6848
FACSIMILE (937) 438-2124
EMAIL: S\$LLP@SP\$AKEASY.NET

FACSIMILE TRANSMISSION

| | | | |
|--------------------------|-----------|--------------------------------------|-------------|
| TO: | Name: | Examiner Tom Stevens (Art Unit 2123) | |
| | Company: | USPTO | |
| | Fax No.: | 571-273-3715 | Phone No.: |
| FROM: | Name: | Rob Showalter | |
| | Date: | November 8, 2006 | |
| | Our Ref.: | IBM014PA (RSW9 2001 0130US1) | Trans. No.: |
| # Pages (incl. cover): 2 | | | |

REMARKS:

A PTOL-413A is attached.

CONFIDENTIAL ATTORNEY CLIENT PRIVILEGED FACSIMILE COMMUNICATION

The information contained in this facsimile message, and any and all accompanying documents, constitutes confidential information which is the property of Stevens & Showalter, L.L.P. If you are not the intended recipient of this information, any disclosure, copying, distribution, or taking of any action in reliance on this information, is strictly prohibited. If you have received this facsimile message in error, please notify us immediately to make arrangements for its return to us. Thank you.

NOV 8 - 2006

PTOL-413A (09-06)
Approved for use through 03/31/2007. OMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 09/938,966 First Named Applicant: Bryan E. Kupperle
Examiner: Stevens Art Unit: 2123 Status of Application: Under Final Rejection

Tentative Participants:

(1) Robert Showalter (2) _____
(3) Thomas H Stevens (4) _____Proposed Date of Interview: 11/13/06 Proposed Time: 1:00 (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video ConferenceExhibit To Be Shown or Demonstrated: ☐ YES☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

| Issues (Rej., Obj., etc) | Claims/ Fig. #s | Prior Art | Discussed | Agreed | Not Agreed |
|--|-------------------------------------|-------------------------------|--------------------------|--------------------------|--------------------------|
| (1) <u>103 Rejection</u> | <u>1-5, 7-15, 17-20, 40, 41</u> | <u>All applied references</u> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) <u>103 Rejection</u> | <u>31-33</u> | <u>" "</u> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (3) <u>103 Rejection</u> | <u>21-25, 27-30</u> | <u>" "</u> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) <u>103 Rejection</u> | <u>33, 36, 38+39</u> | <u>" "</u> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Continuation Sheet Attached | | | | | |

Brief Description of Arguments to be Presented:

The applied prior art references, whether taken singly or in combination, do not disclose, teach or suggest the subject matter of the rejected claims.

An interview was conducted on the above-identified application on _____

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Robert L Showalter
Typed/Printed Name of Applicant or Representative33,579
Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.